

REMARKS

The Application has been carefully reviewed in light of the Office Action dated May 9, 2003 (Paper No. 11). Claims 1 to 52 are pending in the application, of which Claims 1, 15, 24, 38 and 47 are the independent claims. Reconsideration and further examination are respectfully requested.

By the Office Action, the claims have been rejected under 35 U.S.C. § 103(a). More particularly, Claims 1 to 9, 11 to 14, 16 to 23, 24 to 27, 29 to 37 and 39 to 46 have been rejected over U.S. Patent 5,826,244 (Huberman), U.S. Patent 6,324,521 (Shiota), and Derwent database accession nos. 2000-072115 (Tannenbaum) and 1999-086425 (Murata), Claims 15 and 38 have been rejected over Huberman, Shiota, Tannenbaum and U.S. Patent 5,918,207 (McGovern), and Claims 10 and 28 have been rejected over Huberman, Shiota, U.S. Patent 5,974,401 (Enomoto) and Tannenbaum.

The present invention relates to a virtual print market place for providing print services, such as photo print services, over a computer network. According to the present invention, a virtual print market place comprises an interactive shop, patrons of the interactive shop, and a service provider. In the virtual print market place, information concerning print services and pricing information provided by service providers is collected, together with selection criteria provided by the interactive shop. The interactive shop provides a graphical user interface for access by its patrons to order products and services offered by the interactive shop, to provide payment information, to transfer digital images, and/or to provide feedback. A patron of the interactive shop selects from the products and services offered by the interactive shop in a user interface. The services

selected by the patrons of the interactive print shop are supplied by service providers selected based on the selection criteria supplied by the interactive shop. In the virtual print market place, relationships between interactive shops and suppliers are established via the market portal, prior to or after selection of a service by a patron of an interactive shop, to provide the services to patrons of the interactive shop.

Reference is respectfully made to Figure 4, and the description commencing at page 14, line 10, of the present application. Market portal 403 maintains a photo market database 52 of information collected from photo service provider 404 and interactive photo shop 402, and selects a photo service provider 404 to provide products and services to interactive shop 402. Interactive shop 402 provides a graphical user interface to patron 401, by which the interactive shop 402 offers, and the patron 401 orders, products and/or services. In addition, the graphical user interface can be used by the patron 401 to submit payment information, transfer digital images and to submit feedback to the interactive shop 402. As can be seen from Figure 4, the virtual print market place comprises four entities: a service provider, an interactive photo shop, a market portal that collects information from the service provider and interactive shop and selects a service provider to provide a service, and a patron accessing a user interface of the interactive shop to place an order, submit payment information, transfer digital images, and/or submit feedback.

Turning to the specific language of the claims, Claim 1 defines a method of creating, via a network, a virtual print market place, in which a market portal gathers information from a service provider and an interactive shop to create a relationship between the service provider and the interactive shop, and the interactive shop offers

products and/or services based on the information gathered by the market portal. The market portal is used to collect market information comprising an identity of service providers and the print services and pricing provided by each of the service providers, obtain criteria established by an interactive shop for selecting service providers to provide the print services, and to select one or more service providers identified using the market information to provide the set of print services based on the criteria and the market information. The interactive shop provides a graphical user interface for access by its patrons to order products and services of the virtual print market place offered by the interactive shop, to submit payment information, to transfer digital images, and/or to submit feedback.

The applied art, namely Huberman, Shiota, Tannenbaum and Murata, is not seen to teach or to suggest a virtual print market place, in which service providers and interactive shops supply market information and selection criteria, respectively, using a market portal, and the interactive shop provides a graphical user interface for access by its patrons to order products and services of the virtual print market place offered by the interactive shop, to submit payment information, to transfer digital images, and/or to submit feedback.

Huberman is seen to describe a bidding arrangement involving only three entities: a customer in search of a supplier of goods, a supplier willing supply the goods, a broker that receives a bid for the goods from a customer and a bid from a supplier to supply the goods and selects the supplier based on the received bids. In the case that the customer initiates the bidding, the customer communicates its request for services to the broker who

then selects the particular supplier. The broker then supplies the customer with the supplier information so that the customer can accept or decline the transaction involving the supplier, or suppliers, selected by the broker. Accordingly, the broker acts as an intermediary that accepts bids from customers and suppliers and makes a selection from the received bids.

Huberman is not seen to disclose or to suggest market place with four entities. That is, nothing in Huberman is seen to describe a virtual print market place, in which service providers and interactive shops supply market information and selection criteria, respectively, using a market portal, and the interactive shop provides a graphical user interface for access by its patrons to order products and services of the virtual print market place offered by the interactive shop, to submit payment information, to transfer digital images, and/or to submit feedback.

Shiota is not seen to remedy the deficiencies of Huberman. More particularly, Shiota is seen to describe a networked photographic service system consisting of “over-the-counter” minilabs and a center server. As Shiota is understood, a customer in the system brings pictures to an “over-the-counter” minilab for uploading to the center server. The customer then accesses the center server’s web page to order prints via the center server’s web site, and the center server selects one of the minilabs to fulfill the customer’s order. (See col. 1, line 56 to col. 6, line 41, col. 7, lines 2 to 57, col. 8, line 31 to col. 9, line 40 and Figure 5 of Shiota.)

Shiota is not seen to disclose or to suggest a virtual print market place, in which service providers and interactive shops supply market information and selection

criteria, respectively, using a market portal, and the interactive shop provides a graphical user interface for access by its patrons to order products and services of the virtual print market place offered by the interactive shop, to submit payment information, to transfer digital images, and/or to submit feedback.

The remaining references, namely Tannenbaum and Murata, have been carefully reviewed and are not seen to teach or to suggest a virtual print market place, in which service providers and interactive shops supply market information and selection criteria, respectively, using a market portal, and the interactive shop provides a graphical user interface for access by its patrons to order products and services of the virtual print market place offered by the interactive shop, to submit payment information, to transfer digital images, and/or to submit feedback.

Therefore, for at least the foregoing reasons, Claim 1 is believed to be in condition for allowance. Further, Applicants submit that Claim 15, 24 and 38 are believed to be in condition for allowance for at least the same reasons.

The remaining claims are each dependent from the independent claims discussed above and are therefore believed patentable for the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of each on its own merits is respectfully requested.

In view of the foregoing, the entire application is believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa,
California office at (714) 540-8700. All correspondence should continue to be directed to
our below-listed address.

Respectfully submitted,


Attorney for Applicants

Registration No. 42,746

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-2200
Facsimile: (212) 218-2200

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